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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Thomas Ross )  
)  
For: Anterior Cervical Plate ) Art Unit: 3733  
)  
Serial No.: 10/676,064 ) Examiner: James L. Swiger III  
)  
Filed: October 2, 2003 ) Conf. No.: 7730

AMENDMENT/RESPONSE TO OFFICE ACTION

May 5, 2006

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a Response to an Office Action which was mailed on February 8, 2006, in connection with the application identified above, along with a postcard receipt addressed to Applicant's attorney. Please file the Response, mark the postcard with the date of receipt and return it to the undersigned attorney. Thank you for your cooperation.

Sincerely,

David J. Hill  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with postage prepaid in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on May 5, 2006.

Donna Guy  
Date of Signature: May 5, 2006



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Sir:

This is in response to the Office Action mailed on February 8, 2006. Claims 1-20 are pending in the application. Claims 1, 4, 5, 12, 13 and 20 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,193,721 of Michelson. Claims 2, 3, 18 and 19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,193,721 of Michelson in view of U.S. Patent No. 6,224,602 of Hayes. Claims 6-11 and 14-17 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,193,721 of Michelson in view of U.S. Patent No. 5,439,472 of Evans et al. Applicant has now amended claim 13 (and by dependency therefrom, claims 14-20) and claim 14 in order to clarify certain elements of his invention. In addition, Applicant offers the following remarks to address the cited art and respectfully requests reconsideration of the application in view of such remarks. Since no claims are being added to the application beyond the number previously paid for, the filing of this Response does not require the payment of a fee for additional claims.